

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JONATHAN POLITRON, et al.)	
)	
Plaintiffs.)	
)	Case No. 3:11-cv-0028
v.)	Judge Campbell/Brown
)	
Worldwide Domestic Services, Inc., et al,)	
)	
Defendants.)	
)	

To: The Honorable Todd J. Campbell, District Judge

REPORT AND RECOMMENDATION

On May 2, 2011, the Magistrate Judge ordered Plaintiffs to secure service of process on any of the unserved Defendants within 60 days. (Docket Entry 22). On May 17, 2011, Judge Campbell dismissed Plaintiffs' claims against Defendant Brinker International Payroll Company. (Docket Entry 29). Therefore, Plaintiff's only remaining claims are against the unserved Defendants, Worldwide Domestic Services, Inc. and Elite Commercial Cleaning, LLC. Plaintiffs have had more than sufficient time to serve the remaining Defendants or request additional time to do so. Therefore, pursuant to Fed. R. Civ. P. 4(m), the Magistrate Judge **RECOMMENDS** this action be **DISMISSED without prejudice**.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days from receipt of this Report and Recommendation within which to file with the District Court any written objections to the proposed findings and recommendations made herein. Any party opposing shall have fourteen (14) days from receipt of any objections filed regarding this Report within which to file a response to said objections. Failure to file specific objections

within fourteen (14) days of receipt of this Report and Recommendation may constitute a waiver of further appeal of this Recommendation. *Thomas v. Arn*, 474 U.S. 140, *reh'g denied*, 474 U.S. 1111 (1986).

Entered this 11th day of October, 2012.

/S/ Joe B. Brown

JOE B. BROWN
United States Magistrate Judge